



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/607,813

06/27/2003

Ahmad C. Ansari

1033-T00524

8395

60533

7590

09/16/2008

TOLER LAW GROUP
8500 BLUFFSTONE COVE
SUITE A201
AUSTIN, TX 78759

EXAMINER

ALAM, MUSHFIKH I

ART UNIT

PAPER NUMBER

2623

MAIL DATE

DELIVERY MODE

09/16/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/607,813	Applicant(s) ANSARI ET AL.	
	Examiner MUSHFIKH ALAM	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/21/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4, 7, 10-12, 16-20, 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Hicks, III et al. (US 2004/0261112).

Claim 1, Hicks teaches an apparatus comprising:

- a digital display monitor module (40) having a display device (paragraph [0042]); and
- an interactive network module (BMG, 100) that removably (BMG is a component which may be disconnected) interfaces with the digital display monitor module (fig. 1; paragraphs [0036], [0042], [0043]),
- the interactive network module (100) comprising an input interface (300) and a programmable conditional access system (through smart card technology) to enable conditional access to at least one premium television service (pay-per-view, on demand, etc.) received by the input interface, wherein the programmable conditional access system is programmable by at least two different service providers (cable, DBS, etc) (paragraphs [0021], [0032], [0037], [0046], [0053]).

Claim 2, Hicks teaches the apparatus of claim 1 wherein the digital display monitor module comprises a plurality of common interactive network module interfaces (interfaces for particular service providers), and wherein the interactive network module (BMG) interfaces with one of the common interactive network module interfaces (cable, DBS, etc.) (paragraph [0037]).

Claim 3, Hicks teaches the apparatus of claim 1 wherein the interactive network module comprises a demodulator (102) to demodulate digital television signals, including the at least one premium television service (pay per view), received by the input interface (fig. 1; paragraph [0053]).

Claim 4, Hicks teaches the apparatus of claim 3 wherein the demodulator comprises a cable television signal demodulator (123) (figs. 1, 2; paragraph [0037]).

Claim 7, Hicks teaches the apparatus of claim 3 wherein the demodulator comprises a direct broadcast satellite signal demodulator (123) (figs. 1,2; paragraph [0037]).

Claim 10, Hicks teaches the apparatus of claim 3 further comprising a digital television decoder (126) to decode demodulated digital television signals from the demodulator (figs. 1,2; paragraph [0042]).

Claim 11, Hicks teaches the apparatus of claim 10 wherein the digital television decoder comprises an MPEG decoder (paragraph [0039]).

Claim 12, Hicks teaches the apparatus of claim 11 wherein the MPEG decoder comprises an MPEG-2 decoder (paragraph [0039]).

Claim 16, Hicks teaches the apparatus of claim 1 wherein the interactive network module comprises a multicast-enabled device to extract digital television signals, including the at least one premium television service, received by the input interface.

Claim 17, Hicks teaches the apparatus of claim 1 wherein the interactive network module further comprises a storage device to provide a personal video recording feature (paragraph [0036]).

Claim 18, Hicks teaches the apparatus of claim 1 wherein the programmable conditional access system provides digital rights management (encryption, smart card) programmable by the at least two different service providers (cable, DBS, etc.) (paragraphs [0021], [0037], [0053], [0063]).

Claim 19, Hicks teaches the apparatus of claim 1 wherein the input interface comprises a cable television signal interface, and wherein the at least two different service providers comprise at least two different cable television service providers

(paragraph [0037]). *The tuner can be coupled to a plurality of transmission systems including CATV. Therefore, a plurality of CATV transmission systems is within the scope of Hicks.*

Claim 20, Hicks teaches the apparatus of claim 1 wherein the input interface comprises a direct broadcast satellite signal interface, and wherein the at least two different service providers comprise at least two different direct broadcast satellite service providers (paragraph [0037]). *The tuner can be coupled to a plurality of transmission systems including DBS. Therefore, a plurality of DBS transmission systems is within the scope of Hicks.*

Claim 22, Hicks teaches the apparatus of claim 1 wherein the programmable conditional access system is programmable via the input interface (smart card) (paragraph [0053]).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5-6, 14-15, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hicks, III et al. (US 2004/0261112) in view of Hunter (US 7254828).

Claims 5 and 15, Hicks is silent regarding the apparatus wherein the cable television signal demodulator comprises a quadrature amplitude modulation demodulator.

Hunter teaches the apparatus wherein the cable television signal demodulator comprises a quadrature amplitude modulation demodulator (col. 6, lines 30-48).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided different modulation schemes (i.e. QAM) as taught by Hunter to the modulator of Hicks to comply with a particular television standard (i.e. NTSC) (col. 6, lines 45-48).

Claim 6, Hunter teaches the apparatus wherein the cable television signal demodulator comprises a vestigial sideband (VSB) demodulator (col. 6, lines 30-48).

Claim 14, Hunter teaches the apparatus wherein the interactive network module further comprises a modulator to modulate decoded digital television signals from the digital television decoder into an analog, NTSC format (col. 6, lines 30-48).

Claim 23 is analyzed as a combination of claims 1, 5-6, and 19.

5. Claims 8-9, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hicks, III et al. (US 2004/0261112) in view of Mears et al. (US 6707508).

Claim 8, Hicks is silent regarding the apparatus wherein the direct broadcast satellite signal demodulator comprises a quaternary phase shift keying (QPSK) demodulator.

Mears teaches the apparatus wherein the direct broadcast satellite signal demodulator comprises a quaternary phase shift keying (QPSK) demodulator (col. 3, lines 18-33).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided different modulation schemes (i.e. QPSK) as taught by Mears to the modulator of Hicks to comply with a particular television standard (i.e. ATSC) (col. 3, lines 18-33).

Claim 9, Mears teaches the apparatus wherein the direct broadcast satellite signal demodulator comprises a vestigial sideband (VSB) demodulator (col. 3, lines 18-33).

Claim 24 is analyzed as a combination of claims 1, 8-9, and 20.

6. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hicks, III et al. (US 2004/0261112) in view of Smith et al. (US 2004/0133914).

Claim 13, Hicks is silent regarding the apparatus wherein the digital television decoder comprises an H.264 AVC decoder.

Smith teaches the apparatus wherein the digital television decoder comprises an H.264 AVC decoder (paragraph [0036]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided a decoder for various codecs (i.e. H.264) as taught by Smith to the decoder of Hicks in order to be compatible with many formats of media (paragraph [0036]).

7. Claims 21, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hicks, III et al. (US 2004/0261112) in view of Hamilton et al. (US 2002/0087973).

Claim 21, Hicks teaches the at least two different service providers comprise at least two different service providers (paragraph [0037]). *Hicks teaches an input interface (tuner) that can be coupled to a plurality of transmission systems Therefore, a plurality of the disclosed transmission systems is within the scope of Hicks.*

Hicks is silent regarding the apparatus wherein the input interface comprises a digital switched video network interface.

Hamilton teaches the apparatus wherein the input interface comprises a digital switched video network interface (SDV) (paragraphs [0004], [0008]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided an a SDV interface as taught by Hamilton to the interfaces that are compatible in the system of Hicks to support high speed digital subscriber lines (paragraph [0004]).

Claim 25, note the discussion of claims 1 and 21 above. Hamilton teaches the interactive network module comprising:

- a multicast-enabled device (STB) to extract digital television signals, including a premium television service (subscriber request), received by the digital switched video network interface (SDV) (paragraph [0004]).

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MUSHFIKH ALAM whose telephone number is (571)270-1710. The examiner can normally be reached on Mon-Fri: 8:30-18:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2623

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MA

3/4/2008

/Vivek Srivastava/

Supervisory Patent Examiner, Art Unit 2623